

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 04 1994

Returned to applicant for correction.....

Corrected application filed..... Map filed OCT 04 1994

The applicant Walter J. and Brenda S. Gardner

Ruby Valley of Wells
Street and No. or P.O. Box No. City or Town

Nevada 89835 hereby make S application for permission to change the
State and Zip Code No.

Point of Diversion of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit no. 50263, Certificate 12484
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.34 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW 1/4 SE 1/4 of Section 14, T 31 N, R 59 E,
Describe as being within a 40-acre subdivision of public survey and by course and
MDB & M., at a point from which the SW corner of said Section 14, bears S
distance to a section corner. If on unsurveyed land, it should be stated.
51° 29' 46" W, 4072.48 feet.

6. The existing permitted point of diversion is located within NW 1/4 SE 1/4 of Section 14, T 31 N,
R 59 E, MDB & M., at a point from which the SW corner of said Section 14,
bears S 64° 29' 04" W, 3077.88 feet.

7. Proposed place of use Portions of SW 1/4 NW 1/4, Portions of W 1/2 SW 1/4 Section 13, Portions
of S 1/2 S 1/2 NE 1/4, Portions of S 1/2 NW 1/4, Portions of S 1/2 Section 14, T 31 N, R 59 E,
MDB & M., (318.02 acres).
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use SAME AS ABOVE
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Well, Pipelines and Sprinkler System
State manner in which water is to be diverted, i.e. diversion structure,

ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works Three years

14. Estimated time required to complete the application of water to beneficial use.....Five years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The waters applied for under this application are supplemental to Permit 50263, Certificate 12484 and Permit 50264, Certificate 12485.

HIGH DESERT Engineering, Agent
s/Robert E. Morley

By Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

Compared pm/do cl/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 50263, Certificate 12484, is issued subject to the terms and conditions imposed in said Permit 50263, Certificate 12484, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60567; 50263 Certificate 12484, and Permit 50264 Certificate 12485 shall not exceed 1272.08 acre-feet per year. The combined diversion rate under Permit 60567, 50263 and 50264 is limited to 4.077 cubic feet per second.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.34 cubic feet per second and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before November 13, 1997

Proof of completion of work shall be filed before December 13, 1997

Application of water to beneficial use shall be made on or before November 13, 2000

Proof of the application of water to beneficial use shall be filed on or before December 13, 2000

Map in support of proof of beneficial use shall be filed on or before December 13, 2000

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 13th day of November

A.D. 19 95


State Engineer